THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 24631 of 2005

Dated: 18.11.2005

Between:

B.Annavaram, (E.No.750355) S/o.B.Narayana Murthy,
Visakhapatnam Depot, Visakhapatnam, Visakhapatnam.

..... PETITIONER

AND

The Regional Manager, APSRTC, Visakhapatnam,
Visakhapatnam District and others.

.....RESPONDENTS

ORDER:

The petitioner was employed as a driver after selection through order dated 31.01.1997. However, he was removed from service on the ground that the driving licence obtained by him is not genuine. The Corporation issued a circular dated 11.08.2000 providing for appointment of such of drivers, who were removed from service on that grounds, afresh in case they have obtained a genuine licence thereafter. The petitioner contends that he has since obtained a valid and genuine driving licence. His grievance is that though the circular provides for appointment of such drivers initially on casual basis and thereafter on regular basis, the respondents have engaged him on contract basis. He expresses insecurity of service and seeks appropriate directions.

Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents.

The petitioner had approached this Court on an earlier occasion by filing W.P.No.18197 of 2004 complaining that he was not extended the benefit under circular, dated 31.08.2000. The said writ petition was disposed of with a direction to consider the case of the petitioner. In compliance with the same, the respondents employed the petitioner on contract basis. It is true that the circular provides for appointment of such drivers on casual basis. However, the Corporation has since taken a policy decision to employ drivers and conductors only on contract basis. In that view of the matter, the petitioner cannot be accorded any differential treatment. So far as the security of the service of the petitioner is concerned, it is needless to observe that he shall be continued on contract basis as long as there exists work and any person engaged subsequent to him is continued.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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18.11.2005

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